

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**First Appeal No. 71 of 2011**

- Monalisa Agrawal Aged About 27 Years W/o Ajay Kumar Agrawal, R/o Danipara, Tahsil And District Raigarh (CG)

---- Appellant**Versus**

1. H.D.F.C.Standard Life Insurance Co. Through: Branch Office, Branch Manager HDFC Standard Life Insurance, Chaitanya Nagar Complex, Krishna Vihar, Dhimrapur, Tahsil & District Raigarh (CG)
2. Dharendra Shrivastava S/o Devendra Shrivastava, aged about 28 years, Occupation Service, R/o Chandani Chowk, Palace Road, Raigarh (CG)

---- Respondents

For Appellant	:	Shri Chandrashekhar Kaushik, Advocate on behalf of Shri Rajkumar Pali, Advocate
For Respondent No.1.	:	Shri Ramakant Mishra, Advocate

Hon'ble Shri Justice Ram Prasanna Sharma
Order on Board

28/9/2018

1. This first appeal is preferred under Section 96 of the Code of Civil Procedure, 1908 against the order dated 27.9.2010, passed by the 4th Additional District Judge, Raigarh in Civil Suit No.22-A/2009, wherein the said Court has dismissed the suit on the ground of *res judicata*.

2. Admittedly, the matter was decided by the District Consumer Redressal Forum, Raigarh in Case No.27/2008 vide order dated 3.2.2009. The matter is related to one insurance policy and it is within the domain of the District Consumer Redressal Forum, Raigarh which has finally decided the issues between the parties. After decision of the Consumer Forum, a

suit was filed on same cause of action before the 4th Additional District Judge, Raigarh which opined that the matter has already been decided by the District Consumer Redressal Forum, Raigarh and appeal was also finally decided by the State Consumer Disputes Redressal Commission, Pandri, Raipur (CG). The trial Court opined that the principle of *res judicata* is clearly applicable in the present case.

3. Considering the facts and circumstances of the case, this Court has no reason to record a contrary finding. The appeal is without substance and the same is dismissed at the motion stage itself.

Sd/

(Ram Prasanna Sharma)

Judge